



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007

September 25, 2020

**VIA ECF AND ELECTRONIC MAIL**

Hon. Victor Marrero, United States District Judge  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *Jones et al. v. United States Postal Service et al.*, No. 20 Civ. 6516 (VM)

Dear Judge Marrero:

This Office represents the defendants in the above-referenced case. We write on behalf of all of the parties in this matter, pursuant to the Court's instructions in its Decision and Order dated September 21, 2020 (ECF No. 49) (the "PI Decision"). The PI Decision, among other things, directed the parties to make efforts to settle an Order providing Plaintiffs with relief consistent with the PI Decision, and to notify the Court of such settlement; and, in the event the parties failed to file such notice, ordered that certain terms would take effect without further action by the Court. *Id.* at 83.

In accordance with the Court's instructions, the parties have conferred regarding relief consistent with the PI Decision. The parties have reached numerous agreements, as reflected in the proposed order attached hereto as Exhibit A. The parties agree and respectfully request that the Court so-order the attached agreed document, the paragraphs of which track the numbered paragraphs in the "default relief" portion of the PI Decision. *See* PI Decision at 83-87. For each paragraph in the attached document reflecting an agreement among the parties (paragraphs 1-2, 4-7(e), and 7(g)-9), the parties agree that the attached document replaces the corresponding numbered paragraph in the PI Decision, and that—assuming the Court so-orders the parties' agreed proposed order—those corresponding numbered paragraphs in the PI Decision therefore will not take effect.

As the attached proposed order reflects, the parties have been unable to reach agreement on only one issue—appropriate relief regarding the Postal Service's overtime policies and practices. The parties understand and have agreed that in the absence of an agreement on this issue, and in order to avoid disrupting the agreements reached on the other paragraphs, paragraphs 3 and 7(f) in the "default relief" portion of the PI Decision take effect as of noon on September 25, 2020. *See* PI Decision at 83. However, Defendants expect to file today a Motion for Clarification or Modification or, in the Alternative, for a Stay, addressing the parties' disputes regarding paragraphs 3 and 7(f) of the PI Decision; Defendants respectfully refer the Court to that Motion.

Last, Defendants will make another submission today complying with the other provisions of the PI Decision (as incorporated into the parties' agreed proposed order) pursuant to which Defendants are to provide certain information by September 25, 2020; and also complying with the Court's direction at ECF No. 53. *Id.* at 84-85.

We thank the Court for its assistance in this matter.

Respectfully,

COHEN&GREEN P.L.L.C.  
*Attorneys for Plaintiffs*

AUDREY STRAUSS  
Acting United States Attorney for the  
Southern District of New York  
*Attorney for Defendants*

By: /s/ J. Remy Green, Esq.  
J. REMY GREEN, ESQ.  
COHEN&GREEN P.L.L.C.  
1639 Centre St., Suite 216  
Ridgewood, New York 11385  
Tel.: (929) 888.9480  
Facsimile: (929) 888.9457  
E-mail: remy@femmelaw.com

By: /s/ Rebecca S. Tinio  
REBECCA S. TINIO  
STEVEN J. KOCHVAR  
Assistant United States Attorneys  
86 Chambers Street, Third Floor  
New York, New York 10007  
Tel.: (212) 637-2774/2715  
Facsimile: (212) 637-2686  
E-mail: rebecca.tinio@usdoj.gov  
steven.kochvar@usdoj.gov